

Appl. No. 10/824,121
Atty. Docket No. 9522
Response dated August 31, 2006
Reply to Office Action of June 1, 2006
Customer No. 27752

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REMARKS

Claim Status

Claims 1-17 are pending. Claims 1-17 stand rejected under 35 USC § 102. Claims 1 and 14 are currently amended. No claims are added or canceled with this response.

Rejections Under 35 USC § 102(b) Over Kielpikowski

Claims 1-17 stand rejected under 35 USC § 102(b) as being unpatentable over Kielpikowski (US 5,669,896). The Applicant does not admit that any characterization by the Office Action regarding these rejections is correct, but discusses such characterizations herein for the sake of argument. The Applicant traverses the rejections of the pending claims under 35 USC § 102 over the Kielpikowski reference for the reasons discussed below.

Independent claim 1, as currently amended, recites in part a “dual cuff being constructed of a continuous cuff material and enclosed by a cuff end bond, said cuff end bond being disposed at said distal end.” The Office Action cited elements from the Kielpikowski reference against the above-cited portion of the Applicant’s claim 1, stating that “in Fig. 7, elastic members 32 extending along the length of flaps 26 are held in place by bonds wherein the material of flaps 26 is wrapped around said elastic members and adhered to itself, thus forming a cuff end bond at the distal end of the dual cuff assembly 24.” (Office Action, page 3, paragraph 3.)

Independent claim 1, as currently amended, recites in part a cuff end bond “connecting a first edge of the continuous cuff material to a second edge of the continuous cuff material.” From the Applicant’s review, the Kielpikowski reference appears to disclose an end of an outer containment flap 26, which is “formed from a first integral sheet of containment flap material” (Col. 3, lines 5-6) wrapped around a first elastic member 32 (Figures 3-7). The Applicant submits that the wrapped flap material of the Kielpikowski reference differs from a cuff end bond “connecting a first edge of the

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continuous cuff material to a second edge of the continuous cuff material" as recited in part in the Applicant's claim 1.

For this reason, the Applicant asserts that the Kielpikowski reference does not disclose each and every element of the Applicant's independent claim 1. As a result, the Applicant respectfully requests reconsideration and withdrawal of the 102(b) rejections for independent claim 1 and for the pending claims which depend therefrom.

Independent claim 14, as currently amended, recites in part a "dual cuff being constructed of a continuous cuff material and enclosed by a cuff end bond." The Office Action cited elements from Figure 7 of the Kielpikowski reference against the above-cited portion of the Applicant's claim 1. (Office Action, page 3, paragraph 3.)

Independent claim 14, as currently amended, recites in part "a cuff end bond connecting a first edge of the continuous cuff material to a second edge of the continuous cuff material." As discussed above, from the Applicant's review, the Kielpikowski reference appears to disclose an outer containment flap 26 with wrapped flap material, not "a cuff end bond connecting a first edge of the continuous cuff material to a second edge of the continuous cuff material" as recited in part in the Applicant's claim 14.

For this reason, the Applicant asserts that the Kielpikowski reference does not disclose each and every element of the Applicant's independent claim 14. As a result, the Applicant respectfully requests reconsideration and withdrawal of the 102(b) rejections for independent claim 14 and for the pending claims which depend therefrom.

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Conclusion

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-17 is respectfully requested.

Respectfully submitted,

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